



**California Aviation Related Legislative
Bill Analysis Summary
Prepared by the
California Department of Transportation
Division of Aeronautics
September 28, 2018**

September 30th – Last day for the Governor to sign or veto bills passed by the Legislature before Sept. 1st and in or on the Governor's desk by September 1st.

October 1st – Bills enacted on or before this date take effect January 1st, 2019.

November 6th – General Election

November 30th – Adjournment for the 2018 Legislative Session

December 3rd – 2019-2020 – Regular session convenes for Organization session at noon.

Note: All links to each bill reflect verbiage posted the same day the Legislative Report is dated; bills can be amended at any time.

Held Under Submission: An action taken, when a bill is heard in committee, to allow either the committee members or the author to work on the bill, or continue discussion. Under this procedure there is no motion for the bill to progress out of the committee.

Enrolled: Whenever a bill passes both Houses of the Legislature, it is ordered enrolled. Upon enrollment, the bill is again proofread for accuracy and then delivered to the Governor. The enrolled bill contains the complete text of the bill with the dates of passage certified by the Chief Clerk of the Assembly and the Secretary of the Senate.

Chaptered: A bill is said to become chaptered if it is approved by the legislature and signed by the Governor. Bills that become law are published as chapters of the Session Laws for that year. For example, California statutes are the chaptered bills. A bill is "chaptered" by the Secretary of State after it has passed through both houses of the Legislature and has been signed by the Governor or becomes law without the Governor's signature.

AB 427 – Assemblyman Al Muratsuchi – District 66 – (Government Code): relating to Aerospace

This bill would establish the California Aerospace and **Aviation** Commission consisting of 17 members to serve as a central point of contact for businesses engaged in the aerospace and aviation industries and to support the health and competitiveness of these industries in California. The bill would require the commission to make recommendations on legislative and administrative action that may be necessary or helpful to maintain or improve the state's aerospace and aviation industries and would require the commission to report and provide recommendations to the Governor and the Legislature, as specified. The bill would require operations of the commission be supported through non-state moneys and would require that funds received by the commission be deposited in the Aerospace and Aviation Account, which the bill would create in the California

Economic Development Fund, to be used by the commission upon appropriation by the Legislature. The bill would enact other related provisions.

*Status – August 27th – Senate Amendments concurred in; To Engrossing and Enrolling. August 29th - ENROLLED. September 4th – Enrolled and presented to the Governor at 3:00 p.m.; **September 23rd - VETOED by the Governor***

Governor's message: "While the value of the aviation and aerospace industry is critical to the economy of this state, this bill would create a new bureaucracy that replicates many of the things the state is already doing. I think the goals of this bill can be easily handled under current law by the Governor's Office of Business and Economic Development."

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB427

AB 1090 – Assembly Member Jordan Cunningham, District 35 – (Safety Code): Relating to Marijuana Use: Location Restrictions

This bill would prohibit the possession, smoking, or ingesting of marijuana or marijuana products in or upon the grounds of a school, day care center, or youth center, regardless of whether children are present.

This bill would prohibit any person from smoking or ingesting marijuana or marijuana products while driving, operating a motor vehicle, boat, vessel, **aircraft**, or other vehicle used for transportation; or while riding in the passenger seat or compartment of a motor vehicle, boat, vessel, aircraft or other vehicle used for transportation.

*Status: September 1, 2017 – From Committee: Held under Submission - **DEAD***

http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB1090

AB 1561 – Assembly member Sharon Quirk-Silva, District 65 – (Government Code): Relating to Economic Development

This bill would extend to July 1, 2019, the date by which the director would be required to provide a strategy to the Legislature no later than February 1, 2019, for international trade and investment that includes, at a minimum, specified components. Law requires this strategy to include a framework that enables the office to evaluate the current workforce, infrastructure, research and development and other needs of small and large firms, including **airports**.

This bill would also require the director to provide to specified members of the Legislature a notice of the submittal of the strategy to the Chief Clerk of the Assembly and Secretary of the Senate. The act defines the term, "Public Development Facilities" for these purposes as real and personal property, structures, conveyances, equipment, thoroughfares, buildings, and supporting components thereof that are directly related to providing, among other things, port facilities.

*Status: August 27th – Senate amendments concurred in. To Engrossing and Enrolling. August 29th – Enrolled; September 4th – Enrolled and presented to the Governor at 3:00 p.m.; September 10th – Approved by the Governor; **September 10th – Chaptered by Secretary of State – Chapter 313, Statutes of 2018.***

http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB1561

AB 2348 – Assembly member Cecilia Aguilar-Curry, District 4 – (Fish and Game Code): Relating to Wildlife

This bill would authorize the Director of Fish and Wildlife to enter into contracts with nonpublic entities that are owners of record, or with lessees, or productive agricultural rice lands that are winter-flooded and that are determined by the director to be important for the conservation of waterfowl.

The bill would require the department to contract with a nongovernmental organization to develop a generally applicable habitat management plan to be carried out as a condition of one of these contracts and would require the department to approve the plan if it makes a specified finding.

*Status: August 30th – Senate amendments concurred in. To Engrossing and Enrolling. September 10th – Enrolled and presented to the Governor at 3:30 p.m.; **Chaptered by the Secretary of State – Chapter 649, Statutes of 2018.***

http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB2348

AB 2425 – Assemblyman Marc Berman – District 24 – (Revenue and Taxation Code) – relating to Taxation

Existing law requires each person owning taxable personal property, having an aggregate cost of \$100,000 or more for any assessment year to file a signed property statement with the assessor. Existing law also requires every person, as required by the county assessor, to make available for examination information regarding his or her property located on premises that he or she owns or controls.

This bill would authorize the county assessor to require that information, be provided to the assessor by mail or in an electronic format, if available.

Fractionally owned aircraft shall file with the lead county assessor's office one signed property statement for all its aircraft that have acquired situs in the state, as described. Flight data required to compute fractionally owned **aircraft** allocation shall be segregated by airport.

Status – August 29th – Senate amendments concurred in. To Engrossing and Enrolling. August 31st – ENROLLED. September 6th – Enrolled and presented to the Governor at 3:00 P.M.

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB2425

AB 3103 – Assemblyman Todd Gloria – District 78 – (Government Code): - Relating to County Airports

Existing law authorizes the board of supervisors of a county to provide and maintain public **airports** and landing places for aerial traffic for use by the public, and authorizes the board of supervisors to levy a voter-approved special tax for these purposes.

This bill would make non-substantive changes to these provisions.

*Status – February 17th – From printer. May be heard in Committee on March 19th. **DEAD***

http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB3103

AB 3119 - Assembly Member Lorena Gonzalez Fletcher - District 80, (Public Utilities Code) Relating to the San Diego Unified Port District Consolidation

This bill would create the San Diego International **Airport** Mobility and Sustainability Committee, which will consist of seven members. There would be one member from each of the following:

1. the San Diego Association of Governments
2. the City of San Diego Metropolitan Transit Development Board
3. the North San Diego County Transit Development Board
4. the Board of Port Commissioners of the San Diego Unified Port District
5. The Board of Directors of the San Diego Regional Airport Authority – this person shall serve as the Chair of the committee.
6. the City of San Diego
7. the County of San Diego

By January 1, 2020, the committee shall prepare and submit to the board of directors and the Legislature a plan to address specific issues of mobility and sustainability related to the San Diego International Airport that impact multiple public agencies.

Status – August 6th – In committee: Set, first hearing. Hearing cancelled at the request of the author; August 6th – In committee: Hearing postponed by the Committee. DEAD

http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB3119

AB 3131 – Assembly Member Todd Gloria – District 78 and Assembly Member David Chiu in District 17 – (Government Code): Relating to Military Equipment

This bill would allow the governing bodies, which include state, cities and local entities to approve the funding, acquisition, or use of “Military Equipment,” as specified, from the newly proposed definition of “Military Equipment.” ~~This also includes airplanes, helicopters and Unmanned Aircraft Systems (UAS)/Drones.~~ Numerous restrictions are proposed on the newly defined items listed under “Military Equipment” and also permits *any* agency or organization having law enforcement tasks to enforce the bill, if chaptered, such as fire departments, colleges, transit agencies, school districts, the Division of Aeronautics, as well as usual law enforcement entities.

Status – August 30th – Senate amendments concurred in. To Engrossing and Enrolling. September 4th – Enrolled; September 11th – Enrolled and presented to the Governor at 4:30 p.m.; September 27th – VETOED by the Governor.

http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB3131

“Governor’s Veto Message: To the Members of the California State Assembly: I am returning Assembly Bill 3131 without my signature. This bill establishes requirements that must be met before a law enforcement agency may take a number of specified action related to the acquisition and use of “military” equipment. The list of equipment contemplated by this bill is overbroad-broader than that covered by now-repealed Executive Order 13688 which was the basis for AB 36 (Campos) in 2015, which I also vetoed. The current list not only includes items that are clearly “militaristic in style,” but many that are commonly used by law enforcement and do not merit additional barriers to their acquisition. In my view, this bill creates an unnecessary bureaucratic hurdle without commensurate public benefit, and I cannot sign it. Sincerely, Edmund G. Brown, Jr.”

AB 3173 - Assembly Member Jacqui - District 44 – (Penal Code): Unmanned Aircraft Systems

This bill would make it an infraction to operate an unregistered **UAS** that is required to be registered under federal law. The bill would also make it an infraction to operate a UAS while under the influence of alcohol or drugs, as specified. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

*Status – August 7th – Read second time. Ordered to Consent Calendar; August 9th – From Consent Calendar; August 9th – Ordered to third reading; August 24th – Ordered to inactive file at the request of Senator Stern. **DEAD***

http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB3173

AB 3246 - Assembly Members – Frazier, Fong, Berman, Chu, Daly, Harper, Mathis, Nazarian and O'Donnell – (Committee on Transportation) – Omnibus Bill

SEC. 3.

Section 21660 of the California Public Utilities Code is repealed.

SEC. 4.

Section 21670.1 of the **California Public Utilities Code** is amended to read:

(a) Notwithstanding any other provision of this article, if the board of supervisors and the city selection committee of mayors in the county each makes a determination by a majority vote that proper land use planning can be accomplished through the actions of an appropriately designated body, then the body so designated shall assume the planning responsibilities of an airport land use commission, and a commission need not be formed in that county.

(b) A body designated pursuant to subdivision (a) that does not include among its membership at least two members having expertise in aviation, as defined in subdivision (e) of Section 21670, shall, when acting in the capacity of an **airport land use commission**, be augmented so that body, as augmented, will have at least two members having that expertise. The commission shall be constituted pursuant to this section on and after March 1, 1988.

(c) (1) If the board of supervisors of a county and each affected city in that county each makes a determination that proper land use can be accomplished, then a commission need not be formed in that county.

(2) If a commission is not formed pursuant to paragraph (1), that county and the appropriate affected cities having jurisdiction over an **airport**, subject to the review and approval by the Division of Aeronautics of the department, shall do all of the existing requirements for land use planning, as described in the California Public Utilities Code.

*Status – August 9th – Senate amendments concurred in. To Engrossing and Enrolling; August 14th – enrolled and presented to the Governor at 4:00 p.m.; August 24th – Approved by the Governor; **August 24th – Chaptered by the Secretary of State – Chapter 198, Statutes of 2018.***

http://leginfo.legislature.ca.gov/faces/billStatusClient.xhtml?bill_id=201720180AB3246

SB 21 - Senator Jerry Hill, District 13 – (Government Code): Law Enforcement Surveillance policies

This bill would, beginning July 1, 2018, except in exigent circumstances, as defined, require a public agency to submit a proposed plan for the use of each type of new surveillance technology and the information collected, as specified. The bill would authorize an agency to temporarily use surveillance technology in exigent circumstances without meeting the requirements of these provisions, provided that the agency submits a specified report to its governing body within 90 days of the end of the exigent circumstances or a later period as extended. Surveillance Technology as described in this bill includes “drones,” a common term used for **Unmanned Aircraft System (UAS)**.

This policy shall contain: the authorized purposes for using the technology; the type of data that can be collected; the job title of the employees and independent contractors authorized to use the technology and access the data; the type of training required to use the technology; the title of the official custodian of the technology; a description of how the technology will be monitored to ensure the security of information and compliance with applicable privacy laws; the length of time information gathered by the surveillance technology will be retained, and a process to determine if and when to destroy retained information; purpose of, process for and restrictions on the sale, sharing, or transfer of information to other persons and whether and, if so, how the collected information can be accessed by members of the public, including criminal defendants. This bill would make legislative findings in support of these provisions.

Status – September 1st 2017 - hearing: Held in committee and under submission. DEAD
http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB21

SB 347 – Senator Hannah-Beth Jackson, District 19 – (Public Utilities Code): Relating to Aviation Systems – State Remote Piloted Aircraft Act

This bill would require any person using, operating, or renting a **UAS** and every commercial operator of a UAS to maintain adequate liability insurance or proof of financial responsibility.

This bill would also authorize the department to adopt rules and regulations governing the conditions under which UAS may be operated for protecting and ensuring the general public interest and safety and the safety of persons operating the UAS.

After a public hearing the department shall, establish the amount of liability insurance or proof of financial responsibility, that is reasonably necessary to provide adequate compensation for damages incurred through an accident involving a commercial operator of a UAS.

This bill would authorize the department to make and amend general or special rules, orders, and procedures, and establish minimum standards consistent with the act to administer the provisions of the act.

This bill is also intended to (a) encourage the development of UAS, (b) fostering and promoting safety in UAS, (c) preserving the fundamental right to privacy, (d) Protecting the security of critical infrastructure, (e) Protecting California’s natural resources, (f) Encouraging the use of UAS for

newsgathering in a manner consistent with the fundamental right to privacy, (g) Effecting, where feasible and consistent with the policies of this state, uniformity with federal aeronautics laws and regulations, and (h) Establishing only those regulations that are essential and within the scope of the authority of the legislature.

*Status – June 27, 2017 - set for first hearing canceled at the request of the author. * Two-year bill, held over until 2018; June 19, 2018 – June 19 was set for second hearing and cancelled at the request of the author. DEAD*

http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB347

SB 1160 – Senator Ben Heuso, District 40 – (Penal Code): Relating to Trespass

This bill would make it a misdemeanor to commit a trespass by engaging in specified acts, including entering **airport** operations areas or any lands for the purpose of injuring any property or property rights or with the intention of interfering with, obstructing, or injuring any lawful business or occupation carried on by the owner of the land, the owner's agent or the person in lawful possession. It would also be a misdemeanor if a person refuses to leave an airport after being requested to leave by a peace officer or authorized personnel.

Status – June 19th hearing; Heard for testimony only; June 26th – set for second hearing cancelled at the request of the author.

http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB1160

SB 1169 – Senator Joel Anderson – District 38 – (Public Utilities Code): Relating to public utilities, and making an appropriation therefore

This bill would require that 10% of any penalty or fine for a violation of the act, or any rule, regulation, general order, or order of the commission, related to the role a utility company, or its facilities or equipment, played in the starting of a wildfire incident shall be deposited into the Wildfire Incident Penalty and Fine Fund, as created by this bill. The bill would continuously appropriate those moneys to the commission for specified fire prevention purposes, including for equipment for regional fire and first responder agencies. The bill would require the commission to establish an application and approval process by which any person, private entity, or local agency from an area affected by a wildfire incident could apply to the commission for the money in the fund, as provided. Training and Technology, including **unmanned aircraft systems (UAS)** and weather forecasting tools.

Status – May 22nd - Read second time and amended. Re-referred to Committee on Appropriations Suspense File; May 23rd – Set for hearing May 25th; May 25th – Hearing. Held in committee and under submission.

http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB1169

SB 1186 – Senator Hill – District 13 – (Government Code): Law Enforcement Agencies: Surveillance: policies. (2017-2018)

This bill would require each law enforcement agency, as defined, to submit to its governing body at a regularly scheduled hearing, open to the public, a proposed Surveillance Use Policy for the use of each type of surveillance technology and the information collected.

Surveillance technology means any electronic device or system with the capacity to monitor and collect audio, visual, locational, thermal, or similar information on any individual or group. This includes, but is not limited to, **drones** with cameras or monitoring capabilities, automated license plate recognition systems, closed-circuit cameras/televisions, etc.

Status – June 27th – From Committee: Do pass and re-refer to Committee on Appropriations (Ayes 7. Noes 3.) Re-referred to the Committee on Appropriations; August 8th – August set for first hearing. Place on suspense file; August 16th – Held in committee and under submission.
http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB1186

SB 1261 – Senator Jim Nielsen – District 4 – (Public Resources Code): Relating to fire prevention, and declaring the urgency thereof, to take effect immediately – Pilot death benefits.

Existing law requires that any contract entered into by the Department of Forestry and Fire Protection to retain the services of pilots to fly firefighting **aircraft** expressly provide that, if the pilot dies while performing the duties specified in the contract, eligible survivors, of the pilot be paid a one-time death benefit.

This bill would revise that requirement to specify that the contract shall expressly provide that the one-time pilot death benefit shall only be paid to the eligible survivors of a pilot who dies while performing the duties specified in the contract if the pilot is flying firefighting aircraft owned by the department.

*Status – August 23rd – In Senate. Concurrence in Assembly amendments pending; August 24th - Assembly amendments concurred in. (Ayes 39. Noes 0.) Ordered to engrossing and enrolling; August 30 – ENROLLED and presented to the Governor at 5 p.m.; **September 21st – CHAPTERED by the Secretary of State. Chapter 625, Statutes of 2018.***
http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB1261

SB 1355 – Senator Jerry Hill – District 13 – (Penal Code): Relating to **Unmanned Aircraft Systems**.

This bill would make a person who knowingly and intentionally operates an unmanned aircraft system on or above the grounds of a state prison or a jail guilty of an infraction punishable by a fine of \$500. The bill would make these provisions inapplicable to a person employed by the prison or jail acting within the scope of that employment, or a person who receives prior permission from the Department of Corrections and Rehabilitation or the county sheriff.

*Status – August 20th – Assembly amendments concurred in. (Ayes 38. Noes 0.) Ordered to engrossing and enrolling; August 24th – Enrolled and presented to the Governor at 4:00 p.m.; September 10th – Approved by the Governor; **September 10th – CHAPTERED by the Secretary of State. Chapter 333, Statutes of 2018.***

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB1355